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Bill Targets Offensive Product Inserts

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AP

Rep. Tammy Baldwin, D-Wis. lawmakers, who last week passed a bill that would make such product tampering a federal crime.

Wednesday, June 19, 2002

By Kelley Beaucar Vlahos

FOX NEWS

WASHINGTON — Most kids expect a toy or a coupon when they reach to the bottom of a cereal box, not a hateful message or pornographic image.

But that's exactly what a number of unsuspecting consumers have been finding in their boxes of Honeycomb and Alpha-Bits cereal. Word of the inserts reached the ears of Washington

"Parents should not have to worry about their children opening a cereal box in the morning and finding pornography," said Rep. Tammy Baldwin, D-Wis., who with Rep. Melissa Hart, R-Penn., helped pass the Consumer Product Protection Act in the House last week.

Baldwin and Hart say the legislation would plug a gap in existing federal law that does not address the distribution of offensive messages through package tampering.

The lawmakers were warned of the strange practice through constituents, one of which is Kraft Foods, which has a presence in Baldwin's home state and has received over 100 complaints over the few years from consumers of their many cereal brands.

"We've had reports from people across the country who have found these types of messages on and around the boxes and it was very upsetting to them," said Renee Zahery, a spokeswoman from Kraft.

One of the first complaints came from Mario Alexandre in Chestnut Ridge, N.Y., after his eight-year-old son opened a box of Oreo O's in 1999 and found a graphic anti-abortion flier tucked inside. Under the words "Natural Born Killers" was a rant accusing groups like Planned Parenthood of killing "millions of babies each year by abortion."

Alexandre reported the incident to the local grocery store where the cereal was purchased. "He shouldn't have been subjected to that," Alexandre told *The Journal-News* at the time.

Other materials passed along to lawmakers over the past year are even

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more graphic. Baldwin's office has a flier with sketches of the abortion procedure with commentary, and another flier exclaiming, "How's this for a new slogan for the U.S. border patrol? If it ain't white ... waste it! They're dark, they stink, they know it."

Others are filled with expletives about Jews, blacks and homosexuals.

"We are constantly bombarded with advertisements though a variety of mediums," said Hart, who cited an incident where a 10-year-old boy found a racist pamphlet in a cake mix box. "In an effort to find ways to grab our attention, groups are manipulating products and packaging to speak their unwanted, and at times, hateful messages."

The existing Federal Anti-Tampering Act, signed in 1983, makes it a crime for anyone to alter the label or the contents of a consumer package, but does not address slipping unwanted material like fliers and pamphlets into boxes, before they are sealed at the factory or on the shelf, without the manufacturer's consent.

"When law enforcement authorities charged with utilizing the existing law were contacted with these complaints, they said there was nothing they could do," said Baldwin.

The Consumer Product Protection Act would do that by amending the existing law, which now carries penalties ranging from a maximum of \$25,000 and 10 years imprisonment in the case of an attempt to tamper, to a maximum of \$100,000 and life imprisonment, in a case where death results from the tampering.

The legislation passed the House unanimously on June 11. In the Senate, Sen. Herbert Kohl, D-Wis., is shepherding a similar bill through the process and supporters hope to see floor action on it soon.

"One of our core responsibilities is to provide protections for people and, in particular, children," said Baldwin. "Given where these fliers have been inserted, children are particularly vulnerable to these images and we want to have tools to fight it."


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